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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,613	02/15/2002	Amab Das	16-20	2876

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EXAMINER

DOAN, PHUOC HUU

ART UNIT PAPER NUMBER

2617

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/077,613

Examiner

PHUOC H. DOAN

Applicant(s)

DAS ET AL.

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 15 February 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.


Legal Instruments Examiner (LIE), if applicable

571 272 7251
Telephone No.

Continuation of 4(e) Other: In claim 1, the newly added limitation was not underline, and in claim 20, the status identifier "currently amended" should be change to ~~—previously presented—~~.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 02/15/06 have been fully considered but they are not persuasive.

Applicant's remarks: Applicant request for reconsideration After Final Rejection.

Examiner's response: After the Final Rejection, Applicant has amended which placing features from Dependent Claim 2 in to Independent Claim 1. It was raised new issues in Independent Claim 1.

Applicant's remarks: Bolourchi fails to teach or suggest a method which modifying fields of an existing control channel, **where the control and signaling information include one or more identifiers, and where one or more of the identifiers includes a message type.**

Examiner's response: Bolourchi specifically disclose the method for processing downlink message between a node (base station) and a UE (mobile device) which base station are generating a downlink control message **in the MAC** "medium access control" layer and physical layer **signaling required** for processing **a message (i.e., data packet)**. See page 4, par. [0058-0060].

Applicant's remarks: Bolourch does not teach or suggest an identifier indicating the available Walsh space for transmission of data between a base station and one or more mobile stations.

Examiner's response: Bolourchi does not teach or suggest an identifier indicating the available Walsh space for transmission of data between a base station and one or more mobile stations. However, in view of Willenegger with the same invention, Willenegger specifically disclose an identifier indicating the available Walsh space for transmission of data between a base station and one or more mobile stations (col. 3, par. [0028]). Walsh space is a Walsh Codes used for the F-PDCH (See Applicant's specification in page 15-16). **Willenegger discloses a Walsh Code used for PDCH channel** (col. 1, par. [0007], and col. 3, par. [0028]).

Phuoc Doan

03/11/06